

FILED

SEP 12 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA

v.

CHRISTIAN HIDALGO (1)

AMENDED JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 12CR1658-WQH

MICHAEL PEDRETTI, RET

Defendant's Attorney

REGISTRATION NO. 32808298

☒ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P.36)

THE DEFENDANT:

☒ pleaded guilty to count(s) 2 AND 7 OF THE INDICTMENT

☐ was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1341; 18 USC 2	MAIL FRAUD	2
18 USC 981(a)(1)(C) and 28 USC 2461(c)		
18 USC 1957	MONEY LAUNDERING	7
18 USC 982(a)(1)		

The defendant is sentenced as provided in pages 2 through 9 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) All remaining counts is ☐ are ☒ dismissed on the motion of the United States.

☒ Assessment: \$200.00 (\$100.00 each count)

☒ Fine waived

☒ Forfeiture pursuant to order filed 2/4/2013, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

MAY 20, 2013

Date of Imposition of Sentence

HON. WILLIAM Q. HAYES

UNITED STATES DISTRICT JUDGE

12CR1658-WQH

DEFENDANT: CHRISTIAN HIDALGO (1)

CASE NUMBER: **12CR1658-WQH**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 57 months as to each count concurrently

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☒ The court makes the following recommendations to the Bureau of Prisons:
That the defendant be designated to a facility in the Western Region

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before _____
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

12CR1658-WQH

DEFENDANT: CHRISTIAN HIDALGO (1)
CASE NUMBER: 12CR1658-WQH

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
3 years supervised release to run as to each count concurrently

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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SPECIAL CONDITIONS OF SUPERVISION

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter or reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☒ Not engage in the employment or profession of fiduciary responsibility.
- ☐ Resolve all outstanding warrants within _____ days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of _____
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis or sweat patch testing and counseling, as directed by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

DEFENDANT: CHRISTIAN HIDALGO (1)
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RESTITUTION

The defendant shall pay restitution in the amount of \$687,684.00 unto the United States of America.

This sum shall be paid immediately.
 x as follows:

Pay restitution in the amount of \$687,684 through the Clerk, U. S. District Court (for victims see attachment). Payment of restitution shall be forthwith. During any period of incarceration the defendant shall pay restitution through the Inmate Responsibility Program at the rate of 50% of the defendant's income, or \$25.00 per quarter, whichever is greater. The defendant shall pay the restitution during his supervised release at the rate of 20% of the defendant's income, or \$250 per month, whichever is greater. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the restitution judgment.

Until restitution has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs. Restitution is to be paid to the victims listed on the exhibit submitted by the Government and distribution is to be made on a pro rata basis.

The Court has determined that the defendant have the ability to pay interest. It is ordered that:

 The interest requirement is waived.

 The interest is modified as follows:

1894421 Identified Victims									
Victim Of	ISIS	VNS	Survey Rec'd	\$ Loss Victim	\$ Loss HUD	\$ Loss for VNS/Forfeiture	Last Name	First Name	
Hidalgo	Y	Y			\$30,091.00	\$30,091.00	Gabriel	Gustavo	
Hidalgo	Y	Y					Gavilla	Yamileth	
Hidalgo	Y	Y			\$8,870.00	\$8,870.00	Rhodes	Kenneth L	
Hidalgo	Y	Y			\$1,900.00	\$1,900.00	Portillo Jr	Patrick W	
Hidalgo	Y	Y					Luna	Maria	
Hidalgo	Y	Y			\$18,065.00	\$18,065.00	Luna	Ricardo	
Hidalgo	Y	Y					Castro	Claudia N	
Hidalgo					\$13,965.00	\$13,965.00	Franco	Gustavo	
Hidalgo	Y	Y			\$18,683.00	\$18,683.00	Arce	Gloria G	
Hidalgo	Y	Y					Herrera	Marcela	
Hidalgo	Y	Y			\$2,590.00	\$2,590.00	Sosa	Benjamin	
Hidalgo	Y	Y	Y	\$41,880.00	\$41,880.00	\$41,880.00	De la Torre	Alberto	
Hidalgo	Y	Y	Y				De la Torre	Ana	
Hidalgo	Y	Y			\$1,395.00	\$1,395.00	Barbón	Felipe	
Hidalgo	Y	Y	N				Del Rio	Galina	
Hidalgo	Y	Y	N		\$18,420.00	\$18,420.00	Del Rio	Jose E	
Hidalgo	Y	Y			\$5,900.00	\$5,900.00	Almanza	Ivan	
Hidalgo	Y	Y			\$9,099.00	\$9,099.00	Galaviz	Gustavo	
Hidalgo	Y	Y					Galaviz	Yamileth	
Hidalgo	Y	Y			\$8,800.00	\$8,800.00	Moran	Luis A	
Hidalgo	Y	Y			\$13,050.00	\$13,050.00	Tamayo	Perdo	
Hidalgo	Y	Y			\$1,490.00	\$1,490.00	Espinoza	Octavio	
Hidalgo					\$1,495.00	\$1,495.00	Ramirez	Ismael	
Hidalgo							Belancourt	Susana	
Hidalgo	Y	Y			\$4,250.00	\$4,250.00	Wancilla	Jaqueline	
Hidalgo	Y	Y	Y	\$2,250.00	\$2,250.00	\$2,250.00	Burgueno	Ignacio M	
Hidalgo	Y	Y	Y	\$18,435.00	\$39,514.00	\$39,514.00	Lopez	Yolanda J	
Hidalgo	Y	Y					Sanchez	Elita	
Hidalgo	Y	Y			\$5,180.00	\$5,180.00	Sanchez	Marlin	
Hidalgo	Y	Y			\$14,650.00	\$14,650.00	Quezada	Elizabeth M	
Hidalgo	Y	Y			\$3,899.00	\$3,899.00	Padilla	Jorge	

Attachment

Hidalgo	Y	Y					Padilla	Susana
Hidalgo	Y	Y	Y	\$9,980.00	\$7,485.00	\$9,980.00	Rodriguez	Josefa
Hidalgo	Y	Y			\$7,665.00	\$7,665.00	Guillen	Bernie
Hidalgo	Y	Y					Guillen	Sylvia
Hidalgo	Y	Y			\$14,460.00	\$14,460.00	Rivas	Myrna R
Hidalgo	Y	Y			\$1,600.00	\$1,600.00	Customer	Postal
Hidalgo					\$6,590.00	\$6,590.00	Tamayo	Rudolph
Hidalgo							Larios	Saul
Hidalgo	Y	Y	Y	\$5,370.00	\$2,685.00	\$5,370.00	Aguello	Omar Huerta
Hidalgo	Y	Y			\$3,585.00	\$3,585.00	Lomeli	Francisco
Hidalgo	Y	Y					Lomeli	Guadalupe
Hidalgo	Y	Y					Casas	Maria R
Hidalgo	Y	Y			\$18,135.00	\$18,135.00	Lechuga	Santos
Hidalgo	Y	Y			\$13,425.00	\$13,425.00	Davalos	Libertad A
Hidalgo					\$3,190.00	\$3,190.00	Garcia	Felipe
Hidalgo							Garcia	Rebecca
Hidalgo					\$2,290.00	\$2,290.00	Yapez	Joe
Hidalgo							Yapez	Gladys
Hidalgo					\$1,220.00	\$1,220.00	Rivera	Hector
Hidalgo	Y	Y			\$3,990.00	\$3,990.00	Alvarez	Manuel
Hidalgo	Y	Y					Alvarez	Mercedes
Hidalgo	Y	Y			\$11,426.00	\$11,426.00	Ambroz	Teresa
Hidalgo	Y	Y			\$11,975.00	\$11,975.00	Bonnes	Agnes
Hidalgo	Y	Y			\$3,077.00	\$3,077.00	Jones	Fernie B
Hidalgo					\$895.00	\$895.00	Customer	Postal
Hidalgo	Y	Y		\$2,595.00	\$12,455.00	\$12,455.00	Valenzuela	Filemon
Hidalgo	Y	Y	N	\$34,385.00	\$31,893.00	\$34,385.00	Del Rio	Maria Guadalupe
Hidalgo	Y	Y			\$4,490.00	\$4,490.00	Salas	Gregorio Y
Hidalgo	Y	Y			\$650.00	\$650.00	Castro	Alfonso Roberto
Hidalgo	Y	Y	Y	\$17,640.00	\$15,222.00	\$17,640.00	Ruiz	Ivan
Hidalgo	Y	Y	Y				Ruiz	Ruth
Hidalgo					\$895.00	\$895.00	Siqueros Jr	Armando
Hidalgo	Y	Y	Y				Ramirez	Lyzett
Hidalgo	Y	Y	Y	\$18,615.00	\$17,520.00	\$18,615.00	Ramirez	Sergio

Hidalgo	Y	Y			\$150.00	\$150.00	Ruiz	Eva
Hidalgo	Y	Y	Y		\$5,580.00	\$5,580.00	Rivas	Graciela G
Hidalgo	Y	Y			\$4,785.00	\$4,785.00	Garcia	Carmen
Hidalgo	Y	Y			\$1,500.00	\$1,500.00	Hernandez	Cynthia
Hidalgo	Y	Y			\$990.00	\$990.00	Lopez	Manuel
Hidalgo	Y	Y					Lopez	Martha
Hidalgo	Y	Y			\$11,960.00	\$14,960.00	Rodriguez	Larry L
Hidalgo	Y	Y	Y		\$15,600.00	\$15,600.00	Alvarado	Ronnie S
Hidalgo	Y	Y			\$12,200.00	\$12,200.00	Rivera	Hector Manuel
Hidalgo	Y	Y			\$1,295.00	\$1,295.00	Castro	Hilda M
Hidalgo	Y	Y			\$690.00	\$690.00	Rodriguez	Manuel C
Hidalgo	Y	Y			\$3,290.00	\$3,290.00	Gonzalez	Beatriz
Hidalgo	Y	Y			\$2,440.00	\$2,440.00	Gutierrez Garcia	Victor Hugo
Hidalgo	Y	Y					Rivera	Maria
Hidalgo	Y	Y			\$8,055.00	\$8,055.00	Muratailla	Alejandra (d)
Hidalgo							Muratailla	Ana
Hidalgo					\$2,385.00	\$2,385.00	Villanueva	Ismael
Hidalgo							Villanueva	Yolanda
Hidalgo					\$3,580.00	\$3,580.00	Velasquez	Dario
Hidalgo							Aleman	Balvina
Hidalgo	Y	Y			\$6,380.00	\$6,380.00	Tellez	Eliu
Hidalgo	Y	Y					Tellez	Sofia
Hidalgo	Y	Y	Y		\$10,990.00	\$10,990.00	Lopez	Lino J
Hidalgo	Y	Y	Y				Lopez	Maria M
Hidalgo	Y	Y			\$7,320.00	\$7,320.00	Gurrola	Bonifacio
Hidalgo	Y	Y					Gurrola	Hilda
Hidalgo	Y	Y					Meza	Alicia
Hidalgo	Y	Y			\$8,265.00	\$8,265.00	Meza	Efren
Hidalgo	Y	Y			\$40.00		Gonzalez	Cynthia C
Hidalgo	Y	Y			\$211.00	\$251.00	Tavarez	Maria Christiana
Hidalgo	Y	Y	Y				Ghacon	Sylvia
Hidalgo	Y	Y			\$17,330.00	\$17,330.00	Serrano	Ricardo V
Hidalgo					\$350.00	\$350.00	Valencia Yanez	Jose Luis
Hidalgo	Y	Y	Y		\$3,674.00	\$3,674.00	Gonzales	Andrea Louis

Hidalgo	Y	Y			\$6,950.00	\$6,950.00	Cazares	Frank
Hidalgo	Y	Y					Cazares	Mary
Hidalgo	Y	Y			\$75.00	\$75.00	Vidaur Villa	Susan
Hidalgo				\$8,250.00	\$6,550.00	\$8,250.00	Altamirano	Mary A.
Hidalgo	Y	Y			\$21,725.00	\$21,725.00	Lopez	Daniel
Hidalgo	Y	Y					Lopez	Graciela
Hidalgo	Y	Y					Romero	Maria
Hidalgo	Y	Y	Y	\$12,000.00	\$9,195.00	\$12,000.00	Romero Millan	Melesio
Hidalgo	Y	Y	Y				Patino	Zenaida R
Hidalgo			Y	\$11,300.00	\$12,950.00	\$12,950.00	Millan	Manuel
Hidalgo	Y	Y	Y				Valencia	Cruz
Hidalgo	Y	Y	Y	\$5,000.00	\$3,885.00	\$5,000.00	Valencia	Jose
Hidalgo	Y	Y	Y	\$11,400.00	\$13,300.00	\$13,300.00	Ortega Robledo	Silvia
Hidalgo	Y	Y			\$595.00	\$595.00	Diaz	Eva
Hidalgo					\$1,350.00	\$1,350.00	Salgado	Luis
Hidalgo							Salgado	Elvira
Hidalgo					\$995.00	\$995.00	Lorenzana	Larry
Hidalgo					\$1,995.00	\$1,995.00	Orbe	Paul
Hidalgo	Y	Y					Perez Parra	Eladio
Hidalgo	Y	Y					Garcia	Richard
Hidalgo	Y	Y					Manalla	J
Hidalgo	Y	Y					Ceron	Alberto

\$258,894.00 \$637,411.00 \$687,684.00